

Application No. 10/809,470
Docket No. AD7006 US NA

Page 6

REMARKS

Claim 1 is amended to specify that the microfibers are agitated in a liquid to form a slurry. A basis for this amendment may be found in the specification on page 4 at lines 14 to 30, for example. Claim 1 is also amended to further clarify that the polyester is a thermoplastic polyester. A basis for this amendment may be found in the specification on page 1 at line 13 through page 2 at line 6, for example. Accordingly, these amendments introduce no new matter into the application.

New claims 33 and 34 are presented herein. A basis for these claims may be found in the specification in the paragraph bridging pages 3 and 4, and in claim 1 as originally filed, for example. Accordingly, the new claims also do not introduce any new matter into the application.

Turning now to the Official Action dated September 9, 2005, claims 1 to 8, 11, 13, 30 and 31 are rejected under 35 U.S.C. § 102 as anticipated by, or, in the alternative, under 35 U.S.C. § 103 as obvious over International Patent Appln. Pubn. No. WO02/083794, by Phillipoz et al. (hereinafter "Phillipoz"). Claims 1 to 3, 7 to 11, 13, and 30 to 32 are rejected under 35 U.S.C. § 102 as anticipated by, or, in the alternative, under 35 U.S.C. § 103 as obvious over U.S. Patent No. 6,103,779, issued to Guzauskas (hereinafter "Guzauskas"). Claims 1 to 5, 7, 8, and 30 to 32 have been rejected under 35 U.S.C. § 102 as anticipated by, or, in the alternative, under 35 U.S.C. § 103 as obvious over U.S. Patent No. 6,068,922, issued to Vercesi et al. (hereinafter "Vercesi").

Applicants presume that the repeated rejections of Claim 13, which appear on page 5 of the Official Action, were intended to apply to claim 12. A confirmation that this presumption is correct is respectfully requested.

These are the sole reasons presented in the Official Action why the present application should not be allowed. Applicants respectfully traverse these rejections for the reasons set forth below.

It is well established that a claim is neither anticipated nor obvious in light of a cited reference unless the cited reference teaches or suggests each and every element of the claimed invention. See, e.g., M.P.E.P. at §§ 2131 and 2143. Claim 1 as amended herein specifically recites that the polyester is a thermoplastic

Application No. 10/809,470
Docket No. AD7006 US NA

Page 7

polyester. Guzauskas, in contrast, relates only to thermoset materials. See column 1 at lines 14 to 18. Therefore, claim 1 is not anticipated by and not obvious over Guzauskas.

Phillipoz includes no mention whatsoever of a slurry of microfibers. The description does not explain in detail how to add the microfibers to the thermoplastic polymeric matrix, except in a passing reference to "mixing or extrusion", or via a masterbatch, which is not the same as a slurry. See page 6 at lines 6 to 17 and 28 to 30, and the Examples of the invention, particularly page 10 at lines 20 to 26. Claim 1, however, as amended herein, specifically recites that the microfibers are produced in the form of a slurry. Therefore, claim 1 is not anticipated by and not obvious over Phillipoz.

Furthermore, Vercesi teaches away from microfiber slurries. See, for example, column 3 at lines 12 to 39, and particularly lines 35 to 37, and also column 2 at lines 37 to 46. Therefore, Vercesi does not anticipate newly amended claim 1, and the rejection of newly amended claim 1 for obviousness over Vercesi is improper.

Finally, claims 2 through 13 and 30 through 32 depend, directly or indirectly, from claim 1. It follows by statute that these claims are also not anticipated by and not obvious over the cited references, for at least the same reasons that are set forth above with respect to claim 1. Therefore, Applicants respectfully request that the rejections of these claims under 35 U.S.C. §§ 102 and 103 be withdrawn upon reconsideration.

Conclusion


A Petition for an Extension of Time for two months and the required fee for the extension is filed concurrently herewith. Should any further fee be required in connection with the present response, the Examiner is authorized to charge such fee to Deposit Account No. 04-1928 (E.I. du Pont de Nemours and Company).

Application No. 10/809,470
Docket No. AD7006 US NA

Page 8

In view of the above amendments and remarks, it is felt that all claims are in condition for allowance, and such action is respectfully requested. In closing, the Examiner is invited to contact the undersigned by telephone at (302) 892-1004 to conduct any business that may advance the prosecution of the present application.

Respectfully submitted,



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